

**Box No. VIII (ii) DECLARATION: ENTITLEMENT TO APPLY FOR AND BE GRANTED A PATENT**

*The declaration must conform to the standardized wording provided for in Section 212; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (ii). If this Box is not used, this sheet should not be included in the request.*

Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

in relation to this international application, NESTEC S.A. is entitled to apply for and be granted a patent by virtue of the following :

an assignment from BEST Eric Thomas, Rue de l'Eglise 1 bis, Pav 1, F-60430 NOAILLES to NESTEC S.A., dated 01/01/1973.

This declaration is made for the purposes of all designations, except the designation of the United States of America.

in relation to this international application, NESTEC S.A. is entitled to apply for and be granted a patent by virtue of the following :

an assignment from OAKENFULL David George, 10/1316 Pacific Highway, AU-Turramurra NSW 2074, AUSTRALIA to NESTEC S.A., dated 01/03/2002.

This declaration is made for the purposes of all designations, except the designation of the United States of America.

in relation to this international application, NESTEC S.A. is entitled to apply for and be granted a patent by virtue of the following :

an assignment from BARWICK Darryl Richard, 270 Stocksdales Dr, 3C, MARYSVILLE, OHIO 43040, USA to NESTEC S.A., dated 17/08/1983.

This declaration is made for the purposes of all designations, except the designation of the United States of America.

in relation to this international application, NESTEC S.A. is entitled to apply for and be granted a patent by virtue of the following :

an assignment from KIBLER Lawrence Allan, 570 Park Avenue, MARYSVILLE, OHIO 43040, USA to NESTEC S.A., dated 19/06/1978

This declaration is made for the purposes of all designations, except the designation of the United States of America.

in relation to this international application, NESTEC S.A. is entitled to apply for and be granted a patent by virtue of the following :

an assignment from BUDWIG Christopher E., 5755 Adventure Drive, DUBLIN, OHIO 43017, USA to NESTEC S.A., dated 01/01/1995.

This declaration is made for the purposes of all designations, except the designation of the United States of America.

☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (ii)".

**Box No. VIII (iii) DECLARATION: ENTITLEMENT TO CLAIM PRIORITY**

*The declaration must conform to the standardized wording provided for in Section 213; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iii). If this Box is not used, this sheet should not be included in the request.*

Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application specified below, where the applicant is not the applicant who filed the earlier application or where the applicant's name has changed since the filing of the earlier application (Rules 4.17(iii) and 51bis.1(a)(iii)):

in relation to this international application, NESTEC S.A. is entitled to claim priority of earlier application No. US 10/725216 by virtue of the following :

an assignment from BEST Eric Thomas to NESTEC S.A., dated 01/01/1973.

This declaration is made for the purposes of all designations, except the designation of the United States of America.

in relation to this international application, NESTEC S.A. is entitled to claim priority of earlier application No. US 10/725216 by virtue of the following :

an assignment from OAKENFULL David George to NESTEC S.A., dated 01/03/2002

This declaration is made for the purposes of all designations, except the designation of the United States of America.

in relation to this international application, NESTEC S.A. is entitled to claim priority of earlier application No. US 10/725216 by virtue of the following :

an assignment from BARWICK Darryl Richard to NESTEC S.A., dated 17/08/1983

This declaration is made for the purposes of all designations, except the designation of the United States of America.

in relation to this international application, NESTEC S.A. is entitled to claim priority of earlier application No. US 10/725216 by virtue of the following :

an assignment from KIBLER Lawrence Allan to NESTEC S.A., dated 19/06/1978.

This declaration is made for the purposes of all designations, except the designation of the United States of America.

in relation to this international application, NESTEC S.A. is entitled to claim priority of earlier application No. US 10/725216 by virtue of the following :

an assignment from BUDWIG Christopher E. to NESTEC S.A., dated 01/01/1995

This declaration is made for the purposes of all designations, except the designation of the United States of America.

☐ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iii)".

**Box No. VIII (iv) DECLARATION: INVENTORSHIP** (only for the purposes of the designation of the United States of America)  
*The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.*

**Declaration of Inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))  
 for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: US.10/725216 dated .02/12/2003. ....

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: **BEST Eric Thomas** .....

Residence: **F-60430 NOAILLES, France** .....  
 (city and either US state, if applicable, or country)

Mailing Address: **Rue de l'Eglise 1 bis, Pav 1** .....  
**F-60430 NOAILLES, France** .....

Citizenship: **GB** .....

Inventor's Signature: *Eric T. Best* .....  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: *15 November 2004* .....  
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: **OAKENFULL David George** .....

Residence: **AU-Turramurra NSW 2074, Australia** .....  
 (city and either US state, if applicable, or country)

Mailing Address: **10/1316 Pacific Highway** .....  
**AU-Turramurra NSW 2074, Australia** .....

Citizenship: **AU** .....

Inventor's Signature: .....  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: .....  
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☒ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

**Box No. VIII (iv) DECLARATION: INVENTORSHIP** (only for the purposes of the designation of the United States of America)  
*The declaration must conform to the following standardized wording provided for in Section 214; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (iv). If this Box is not used, this sheet should not be included in the request.*

**Declaration of Inventorship (Rules 4.17(iv) and 51bis.1(a)(iv))  
 for the purposes of the designation of the United States of America:**

I hereby declare that I believe I am the original, first and sole (if only one inventor is listed below) or joint (if more than one inventor is listed below) inventor of the subject matter which is claimed and for which a patent is sought.

This declaration is directed to the international application of which it forms a part (if filing declaration with application).

This declaration is directed to international application No. PCT/..... (if furnishing declaration pursuant to Rule 26ter).

I hereby declare that my residence, mailing address, and citizenship are as stated next to my name.

I hereby state that I have reviewed and understand the contents of the above-identified international application, including the claims of said application. I have identified in the request of said application, in compliance with PCT Rule 4.10, any claim to foreign priority, and I have identified below, under the heading "Prior Applications," by application number, country or Member of the World Trade Organization, day, month and year of filing, any application for a patent or inventor's certificate filed in a country other than the United States of America, including any PCT international application designating at least one country other than the United States of America, having a filing date before that of the application on which foreign priority is claimed.

Prior Applications: US 10/725216 dated .02/12/2003. ....

I hereby acknowledge the duty to disclose information that is known by me to be material to patentability as defined by 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the PCT international filing date of the continuation-in-part application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: BEST Eric Thomas .....

Residence: F-60430 NOAILLES, France  
 (city and either US state, if applicable, or country) .....

Mailing Address: Rue de l'Eglise .1 bis, Pav 1  
 F-60430 NOAILLES, France .....

Citizenship: GB .....

Inventor's Signature: .....  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: .....  
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

Name: OAKENFULL David George .....

Residence: AU-Turrumurra NSW 2074, Australia  
 (city and either US state, if applicable, or country) .....

Mailing Address: 10/1316 Pacific Highway  
 AU-Turrumurra NSW 2074, Australia .....

Citizenship: AU .....

Inventor's Signature: *David Oakenfull* .....  
 (if not contained in the request, or if declaration is corrected or added under Rule 26ter after the filing of the international application. The signature must be that of the inventor, not that of the agent)

Date: *15th November 2004* .....  
 (of signature which is not contained in the request, or of the declaration that is corrected or added under Rule 26ter after the filing of the international application)

☒ This declaration is continued on the following sheet, "Continuation of Box No. VIII (iv)".

**Continuation of Box No. VIII (i) to (v) DECLARATION**

*If the space is insufficient in any of Boxes Nos. VIII (i) to (v) to furnish all the information, including in the case where more than two inventors are to be named in Box No. VIII (iv), in such case, write "Continuation of Box No. VIII..." (indicate the item number of the Box) and furnish the information in the same manner as required for the purposes of the Box in which the space was insufficient. If additional space is needed in respect of two or more declarations, a separate continuation box must be used for each such declaration. If this Box is not used, this sheet should not be included in the request.*

Name : BARWICK Darryl Richard  
Residence : MARYSVILLE, OHIO 43040, USA  
Mailing Address : 270 Stocksdale Dr, 3C  
MARYSVILLE, OHIO 43040 - USA  
Citizenship : US

Inventor's Signature : Camp R Barwick

Date : 11-12-04

Name : KIBLER Lawrence Allan  
Residence : MARYSVILLE, OHIO 43040, USA  
Mailing Address : 570 Park Avenue  
MARYSVILLE, OHIO 43040 - USA  
Citizenship : US

Inventor's Signature : Lawrence A Kibler

Date : 11-15-04

Name : BUDWIG Christopher E.  
Residence : DUBLIN, OHIO 43017, USA  
Mailing Address : 5755 Adventure Drive  
DUBLIN, OHIO 43017 - USA  
Citizenship : US

Inventor's Signature : Ch E Budwig

Date : 11-12-04